

**CITY COUNCIL MEETING MINUTES
THURSDAY, FEBRUARY 11, 2016 – 7:00 PM
CITY HALL COUNCIL CHAMBERS**

ATTENDANCE: Ms. Bergman, Mr. DeVlieger, Mr. Guinosso, Mr. Madden, Mr. McClellan, Mr. Wilson, and Mr. Hartzell. Present also was Mayor Jay A. Gillian, Business Administrator James Mallon, Solicitor Dorothy McCrosson and CFO Frank Donato.

Council President Keith Hartzell called the meeting to order at 7:00 pm and asked everyone to rise for the flag salute and prayer. He announced that the meeting had been advertised in accordance with P.L. 1975, chapter 231.

CITIZEN COMMENT

Burt Diamond – 341 Simpson Avenue – Mr. Diamond distributed a letter to the governing body explaining his frustration due to the extreme flooding. Both he and his wife had trouble getting to and from their home and he would like for council to find a way to alleviate this issue as it has become a major problem.

Suzanne Hornick – 2962 West Avenue – Ms. Hornick expressed her concerns about flood remediation and said that she has not seen any efforts from the administration to take care of the problem. Ms. Hornick also discussed her concerns about the idea of using artificial grass and said that it is not only a safety issue, but also a health issue. She asked the governing body to re-consider the use of the artificial grass/turf.

Fred Lerro – 631 10th Street – Mr. Lerro said that he owns the duplex on 10th Street and there is a unit being built two doors down. He was informed that the unit is considered to be a hospitality unit and will be about 7 feet higher than his duplex. He said he was never notified about the unit being built and one of his main concerns is that the 5th bedroom which is the master bedroom is enormous. Also, the garage faces 10th Street which is going to cause issues and possible accidents with vehicles coming off of Ocean and on to 10th Street. Also, he wanted to know what can be built on a certain lot relative to the size.

Michael Davy – 635 10th Street – Mr. Davy reiterated what Mr. Lerro said as far as the safety concerns for people driving due to this new unit being built. He is also concerned about the size of the house that is being built and he expressed his concern about not being notified.

Bill Harcranft – 728 Battersea Road – Mr. Harcranft expressed concern about the flooding. He also spoke to council about the Fire Department and how the Firemen are living in a rented trailer that has mold in it which he doesn't think is ok. He also addressed the cost of the trailer; \$1700 a month and it has been rented for 33 months. Next, he had questions and concerns about Resolution #20 on tonight's agenda; he is concerned about the amount of money being allocated for artificial turf. Lastly, he complimented Grace Reality in Marmora for their ad in the Gazette noted "home is in a flood zone and needs to be raised or needs flood insurance." He would like it if other realtors in Ocean City did the same.

Evan Schmeizer – 318 East Surf Road – Mr. Schmeizer said he approached council during a meeting in July in regard to the track and he wanted to say thank you because he thinks the track looks great. Recently, he has heard about the turf/field project and he thinks it will be a positive thing because teams love playing on turf. The track team has not had any home meets since the 2013 season. He said that he noticed the plans do not include the throwing circle for shot put and discus which would be unfortunate and he also requested that the governing body consider pushing back the dates for the installation of the turf so that the track team can have their home meets this year.

Georgina Shanley – 2117 Bay Avenue – Ms. Shanley said that there a lot of complaints about flooding and there is a lot of money being spent on dredge. She has lived on Bay Avenue for 30 years and Bay Avenue has never been flooded as bad as it has recently. She said that Ocean City is going to be submerged and thinks that overbuilding should be stopped. She asked the council to come up with some plans on what can be done on a larger scale. Also, she objects to the artificial turf and said it's not good for the health of the children.

Jesse Schmeizer – 318 East Surf Road – Mr. Schmeizer reiterated today what his brother said earlier about the track being finished. He ran on it today and he said thank you. Also, he said that he hasn't had a home track meet in his whole high school career. He's excited about the turf project that is coming up. He thinks a new field will be better for the football team and it will also look great. His main concern is making sure that there will not be any conflict with his first home meet due to the installation process.

Eric Sauder – 2928 Central Avenue – Mr. Sauder referenced the 5 year capital plan particularly that 40% is going towards roads and drainage. He asked if that is actually enough money and is it ambitious enough. He wanted to know why an I&I study hasn't been done yet.

Dr. Steven Fenichel – 2117 Bay Avenue – Mr. Fenichel discussed the capital budget. He said he knows that most of the money is going to be spent on the dredge and wanted to know who the beneficiary is of this. He explained his concerns about the tax payers being responsible to do the dredging against mother-nature and he is offended by the lobbyists.

There was some discussion between the governing body about the purchasing of the turf through a co-op and it was mentioned that the bid process still has to take place before any type of construction starts. The awarding of the bid would possibly be at the first meeting in March 2016. Also, communication is on-going with the school to keep everyone informed of the status of the proposed project. The estimated timeline to have the project complete is sometime in May before Memorial Day weather permitted.

APPROVAL OF MINUTES

Mr. Hartzell asked for a motion to adopt the City Council Workshop Minutes of January 19, 2016 as well as the City Council Regular Meeting Minutes of January 28, 2016. Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed.

REPORTS –MAYOR & ADMINISTRATION

Mayor Gillian explained the reason that Site 83 was stopped was due to the contractor moving a loading area which was not supposed to happen. Next, he commented that he is waiting for the check valves up and down the island; that is being looked into. Also, Mayor Gillian commented on the Fire Station at 29th Street; the public safety of Ocean City has always been taken care of and it will continue to be taken care of. He understands the frustration, but it will be taken care of. Mayor Gillian read two proclamations to the governing body and to the public. The first proclamation was "Designating February as General Aviation Appreciation Month" and the other proclamation was "Recognizing February as Black History Month." He also gave a thorough presentation on the 2016 Local Municipal Budget; Mayor Gillian said that CFO, Mr. Donato will go over some specific items relative to the proposed budget at tonight's meeting as well.

Business Administrator Mr. Mallon spoke about several items. He said that the beach replenishment for the south end beaches is moving forward and any material that was lost in the most recent storm will be included. There is not a start date at this time, but the plan is to finish Strathmere, then Sea Isle and return to Ocean City and continue to pump from Corson's Inlet. It is estimated that all the work will be done May 15th and all equipment will be removed from the Inlet by May 30th. Mr. Mallon also informed everyone that he has been notified by the Army Corps of Engineers and the NJ DEP that the project to remove material from site 83 has to be stopped due to deviations from the original permit; the contractor, Act Engineering and City team members are working with both agencies to resolve the issues. Another topic discussed was several calls have been coming in about neighborhood flooding. Mr. Mallon said that the City team has been out to clean drains, inspect check valves and remove debris from the storm that occurred two weeks ago as well as the storm from earlier this week; he mentioned that the team is going to clean debris on all of the City roads including County roads. Mr. Mallon discussed that he met with representatives from Michael Baker International yesterday and he is planning on having those rep's return sometime at the end of the month to meet with the Administration. While they are in town Mr. Mallon will be setting up meetings with key constituents and is tentatively planning to have a town hall meeting in mid March; he will update council once dates are confirmed. Lastly, Mr. Mallon reminded everyone that we have very cold weather projected for this weekend and he also reminded everyone to check in on relatives and neighbor's to make sure they are okay; he said to keep an eye out for your neighbor's homes for frozen pipes.

REPORTS – CITY COUNCIL

Mr. Hartzell reported that the Chamber of Commerce requested to have a council person on their board as well as an alternate. This is not anything official that needs to be voted on, but Mr. Hartzell did want to discuss and decide on this publicly. After discussion between the governing body members it was decided that Ms. Bergman will be the council representative and Mr. DeVlieger will be the alternate.

ORDINANCES – INTRODUCTION AND FIRST READING

Mr. Hartzell asked for a motion to take up Ordinance No. 16-01 on a first reading. Motion moved by Ms. Bergman, seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title:

Ordinance No. 16-01: A Bond Ordinance Appropriating \$17,504,500.00 and Authorizing the Issuance of \$16,629,275.00 in Bonds and Notes of the City of Ocean City for the Various Improvements or Purposes Authorized to be Undertaken by the City of Ocean City, New Jersey

CFO, Mr. Donato presented an explanation for Bond Ordinance #16-01. He asked council to also draw their attention to Resolution #18, A Resolution to Adopt Capital Plan 2016 to 2020 and Specific Debt Service Guidelines, which goes hand in hand with the Bond Ordinance. Thirty four million dollars of that plan is for seeking authorization for projects for 2016. The Bond Ordinance which is about 17 and a half million dollars will help to get roughly half of the projects off the ground. Also, Mr. Donato went over Section 3 of the Ordinance which details all of the improvements.

There was discussion and some questions between City Council, Mayor and the CFO relative to the capital plan.

Mr. Hartzell asked for a motion to adopt Ordinance No. 16-01 on first reading and publish according to law. Motion moved by Mr. Wilson, seconded by Mr. McClellan. All ayes followed.

RESOLUTIONS – CONSENT AGENDA

16-52-044 - #1. A Resolution to Authorize the Advertisement of Specifications for City Contract #16-06, Recreational Baseball Camp Program

16-52-045 - #2. A Resolution to Authorize the Advertisement of Specifications for City Contract #16-07, Recreational Basketball Camp Program

16-52-046 - #3. A Resolution to Authorize the Advertisement of Specifications for City Contract #16-08, Recreational Field Hockey Camp Program
16-52-047 - #4. A Resolution to Authorize the Advertisement of Specifications for City Contract #16-09, Recreational Soccer Camp Program
16-52-048 - #5. A Resolution to Authorize the Advertisement of Specifications for City Contract #16-10, Recreational Boy's Lacrosse Camp Program
16-52-049 - #6. A Resolution Authorizing the Advertisement of Specifications for City Contract #16-11, Recreational Softball Camp Program
16-52-050 - #7. A Resolution Authorizing the Advertisement of Specifications for City Contract #16-12, Professional Tennis Instructional Service
16-52-051 - #8. A Resolution Awarding City Contract # 15-33, Ocean City Welcome Center Modifications
16-52-052 - #9. A Resolution Authorizing a Professional Services Contract between the City of Ocean City & CDI Infrastructure, LLC D/B/A L. R. Kimball for Engineering & Consultant Services for the Ocean City Municipal Airport for the Calendar Year 2016
16-52-053 - #10. A Resolution Authorizing the Award of a Professional Services Contract between the City of Ocean City & Ruderman & Glickman, P.C. for Labor Counsel Services for the Calendar Year 2016
16-52-054 - #11. A Resolution Approving a Special Event Permit for a Fireworks Display for Gilamco, Inc. on June 2, 2016
16-52-055 - #12. A Resolution Approving a Special Event Permit for the 2016 4th of July Fireworks Display
16-52-056 - #13. A Resolution Approving a Special Event Permit for a Fireworks Display for Indian Summer Weekend on October 8, 2016
Title Amended at the Table - 16-52-057 - #14. A Resolution Approving a Special Event Permit for a Fireworks Display for First Night Ocean City, Inc. on January 1, 2017
16-52-058 - #15. A Resolution Approving A Special Event Permit For A Firework Display for Knight in Venice on Saturday, July 16, 2016
16-52-059 - #16. A Resolution Authorizing an Agreement for Substitute Municipal Prosecutors for the Ocean City Municipal Court for the 2016 Calendar Year
16-52-060 - #17. Confirming that the City of Ocean City Provided Matching Funds for a Subgrant Award of the Federal Fiscal Year 2015 Department of Homeland Security Emergency Management Performance Grant Program Funding
16-52-061 - #18. A Resolution To Adopt Capital Plan 2016 to 2020 and Specific Debt Service Guidelines
16-52-062 - #19. A Resolution Authorizing the Payment of Claims

Mr. Hartzell asked for a motion to approve the consent agenda. Motion moved by Ms. Bergman, seconded by Mr. McClellan. All ayes followed.

After some discussion between the Mayor and City Council, Mr. Hartzell asked for a motion to remove Resolution #14 and Resolution #20 from the consent agenda. Motion moved by Mr. Wilson, seconded by Mr. McClellan. All ayes followed.

Next, Mr. Hartzell asked for a motion to amend the title of Resolution #14. The amended title will read: "**#14 - A Resolution Approving a Special Event Permit for a Fireworks Display for First Night Ocean City, Inc. from December 31, 2016 to January 1, 2017**"; Motion moved by Mr. Madden, seconded by Mr. DeVliieger. All ayes followed.

NON CONSENT AGENDA

The Clerk read Resolution #20 by title:

16-52-063 - #20. Authorizing The City's Participation in the Keystone Purchasing Network (KPN) For Contract #Kpn-201203-1, Artificial Turf, Tracks, And Courts With Field Turf USA, Inc. For The Acquisition of Artificial Turf and Track For Carey Field

Mr. Guinosso expressed his concerns about the turf. He said that after doing some research, he does not think that the turf is a healthy or safe option. He understands that there are pros and cons, but after seeing pictures of children with cancer as a result of being exposed to the turf he is not very happy with this option for the field. He said that he is not going to vote for Resolution #20.

There was some discussion between City Council, the Mayor and the Business Administrator. The turf was researched and is safe for the fields and for the children. Also, the turf is used all around the country and again it will not be a health hazard. It is an all natural, organic sustainable cork product that is going to be used.

Mr. Hartzell asked for a motion to approve the removed resolution. Motion made by Mr. McClellan, seconded by Mr. Madden. All ayes followed with the exception of Mr. Guinosso who voted no.

PUBLIC COMMENT

Dale Braun - 326 West Avenue – Mr. Braun asked about the school district's involvement with the decision to purchase the turf.

PENDING BUSINESS

Mr. Wilson reported that there will be a third ward meeting at 10:00 am on February 20, 2016 in the lecture hall at the Library. The project going on between 12th and 16th Street will be the topic of discussion and also flyers have been sent out by the water company. Questions will be addressed at this meeting.

Mr. DeVlieger addressed the topic of lobbyists which was brought up at tonight's meeting. He said that using the same resources while expecting a different outcome is non-conductive to getting the results you want. The investment in a lobbyist is designed to expedite this process and accomplish what we want to accomplish which is the dredging. He stated that is going to be money well spent in order to get the project accomplished.

Ms. Bergman discussed that the most complaints she heard in regard to the flooding had to do with large trucks going down West and Bay Avenue causing huge wakes. She wanted to know if there is anything that can be done about it.

Mr. Hartzell commented that he did put in a call about trucks going too fast while there was flooding and it was rectified and he also commented that not all lobbyists are bad; sometimes politicians are hard to get a hold of and it is beneficial to have a lobbyist.

NEW BUSINESS

Mr. DeVlieger congratulated the Ocean City girl's swim team for their third straight South Jersey Title. Also, he expressed the need to put a lemon law in place relative to utility companies. On another note, he reported on the Skate Board Commission informing everyone that Philadelphia Mayor Kennedy has lifted the ban on LOVE Park and it is now open for skaters. Also, Philadelphia is remodeling the area (LOVE Park) and they are going to re-purpose the grounds for the skaters. LOVE Park is legendary and is one of the most famous inter-city parks for skating; it would be a great opportunity for kids to go and skate there.

CITIZEN COMMENT

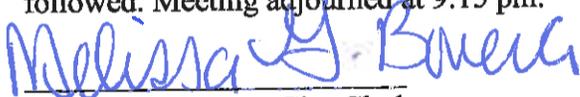
Mike Tobin - 4600 West Avenue – Mr. Tobin spoke to the governing body about the flooding that has occurred over the last couple of days. He wanted to know if 45th Street to 48th Street were going to be worked on. He also mentioned that on Wednesday he called the Streets and Roads Department to see if they had a pump available that he could use, but they did not. He wanted to know if they could come and clean out the sewers and scope the pipe (every plumber has a camera that see 100 feet in to a pipe and DPW does not have one...it's a \$1,000 piece of equipment that would be beneficial).

Bill McGettigan - 202 30th Street – Mr. McGettigan would like to know if there is way that people can volunteer and get involved at the meeting that is going to take place to address the flooding issue.

Ray McNelly - 1301 Simpson Avenue – Mr. McNelly suggested that the building that has been going on has exasperated the flooding issue in town. He intends to get more involved in the flooding situation since it seems to be getting worse; if you build on a higher ground it forces the water on to a lower ground.

Dale Braun - 326 West Avenue – Mr. Braun wanted to know when has it become a bad thing for someone to lobby for something good. A significant part of people's livelihood and being able to get around depends on getting the dredging done in an effective manner.

Mr. Hartzell asked for a motion to adjourn. Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed. Meeting adjourned at 9:15 pm.



Melissa G. Bovera, City Clerk